

MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
April 20, 2022

The meeting of the Planning and Zoning Commission was called to order at 5:30 p.m. on 04/20/2022, via ZOOM.

ROLL CALL:

☒ Anne Schuler, ☒ Wendy Martinez, ☒ Katie Wilson, ☒ Abby Petri, ☒ Christie Schutt,
☒ Thomas Smits, ☐ Rachael Stewart

STAFF: Paul Anthony, Tyler Sinclair

MATTERS FROM THE PUBLIC: None

APPROVAL OF MINUTES:

February 16, 2022

A motion was made by: Schuler seconded by: Schutt

Motion approved by a 6__ to _0_ vote

OLD BUSINESS: None

PLANNING COMMISSION

Oath of Office: Thomas Smits, Wendy Martinez, Christie Schutt, Rachel Stewart. Performed by Town Clerk – Riley Taylor.

ITEM P21-333: Land Development Regulation (LDR) Text Amendment to Section 6.1.4 Residential Uses and Section 6.1.5 Lodging Uses to amend definitions regarding occupancy limits

STAFF PRESENTATION: Tyler Sinclair

APPLICANT PRESENTATION: None

PC DISCUSSION: The Planning Commission discussed the following items:

- Commissioner Schuler asked if renting short-term you're required to obtain a business license and pay a fee. When you're renting less than 30 days and you're not in the lodging overlay, there's no requirements or fees? And no lodging tax is paid on those rentals? Also, the fee for a license is really low to cover cost of the program. One of the things that you're solving for is livability concerning creep of lodging into neighborhoods. Livability could be improved

by increasing the rental period. Are we solving for renting a room to someone, as a homeowner, for short periods – less than 30 days?

- Commissioner Petri asked for statistics on how many units are being rented in town through these websites, whether specific neighborhoods being more heavily rented than others, are complaints being tracked and statistics on upticks over the last few years? Do we know what percentage of homes are on these websites?
- Commissioner Schuler asked about staff report – asked for clarification on maximum (or minimum) of 15,000 sf..
- Commissioner Wilson – interested in talking more about locals exclusion program, but in terms of staff, man hours and band-width, could this be enforced and would this cause more confusion to the general public?

PUBLIC COMMENT:

- Shannon – 2nd homeowner by Snow King. They rent out through a property management company. They feel penalized by this proposed change because they don't break the rules and they contribute to the economy, and the rental company is being penalized. She doesn't feel this change will help the housing issue.
- Larry Hartenstein – President of the Jackson Hole Lodging Association and CEO of Luxury Properties of Jackson Hole.
 1. These proposed changes do very little or nothing to affect workforce housing. Zero homes at Luxury Properties of JH would be qualified to meet the needs of workforce housing affordability-wise at \$30,000 a month to rent.
 2. Regulations enacted in the past have done very little to mitigate workforce housing needs. Let's have real conversations about what workforce housing needs to be - so many projects knocked down at the last minute, and hundreds of thousands of dollars put into studies that have not come to fruition.
 3. 50-70 complaints over the last 5 years. As an industry, that number sounds low and speaks to their professionalism.
 4. Asking for a delay in the commission moving these changes to the Town Council until all stakeholders have been heard in this process.
 5. Had it been a 30-day policy rather than a 31- day policy, the community would have received a 4% tax rate.
- Morgan Bremmer – With Clear Creek Group & part of JH Lodging Association. They want to be good stewards in the community, trying to do the right thing by all stakeholders. The argument is not as well defined as it should be. There should be more statistics and data. How big an issue is this really? Would love to be more involved and have an open dialog, short of regulatory changes. None of their homeowners would be interested in renting out their properties long-term, as the homeowners use their homes part of the year. If revenue is important and the inability to police what is happening is an issue, let them play a role in finding a solution, lets hire the enforcement needed. Instead of being more restrictive, move it to 30 days and collect lodging tax and sales and use tax. Against the amendments.
- Joseph and Nicole Pack – residents of the Town of Jackson. Would rent places around town

for 3 weeks because hotels were too expensive. They spend summers and winters in Jackson and rent out the house the rest of the year to recoup as much of the \$12,000 a month mortgage as they can. By decreasing the number of times they can rent out their house, this will require an increase in the rental rates, or the hotels will become unbelievably expensive because the supply will significantly decrease. Their rental company, Rendezvous Mountain Rentals, is unbelievably ethical. They ensure they do not rent to more than one rental in a 31-day period. Suggests a graduated tax rate based on the number of rental days that goes directly to an affordable housing fund. Against the amendments.

- Jill Davies – she and husband own a home in East Jackson. It's where they intend to retire. They've been visiting Jackson for many years. JH Property Management Group manages their home. They've brought at least 50 people to Jackson that would have otherwise not visited, they spend their money in restaurants, they ski, shop in stores, rent snowmobiles. They use the rental income to offset property taxes and the monthly mortgage payments and would need to work a few more years before retiring in Jackson and would be financially burdensome and may change her retirement plans entirely. Against the amendments.
- Mark McGlocklin – relatively new residents in Jackson. Suggests expert advise as other ordinances like this haven't done well elsewhere. Against the amendments.
- Bill & Roz Reinike – retired, moved to Jackson 8 years ago. Family moved to Jackson to help them and they couldn't find any affordable housing, so they took from their retirement so their family could live in Town. But because the mortgage payments are so high, that they can't afford it so they bought an RV to live in while they rent out their house for a good amount of money to pay the mortgage and excruciatingly high property taxes. Against the amendments.
- Kathlyn D- City Planning student at University of Oklahoma. Her family lives in Jackson, both parents work full-time. She's seen houses on her street that have gone from long-term rental properties to short-term rental properties , pushing out the local workforce. For the amendments.
- Kelly Aikin: Part of JH Lodging Association & owns C & C Home Services. No homeowners in their portfolio would rent to the workforce housing pool.
- Jennifer Killgrow – Owner of Rendezvous Mountain Rentals – business and property owners want to be part of the solution. Against the amendments.
- Kevin Cavanaugh- GM of the Clear Creek Group, member of JH Lodging Association, co-chair of JH Working. Requesting that text amendment not be approved. No data supporting that the text amendments would create workforce housing. Feels that the amendment is a government overreach and an erosion of his property rights. Needs much more research. There's a real opportunity to find solutions to the workforce housing shortage. Against the amendments.
- Ariel K. – Most public comments have been from property management companies and homeowners, not much from the rental community. Moved about 6 times in 8 years. Frustrating to hear how devastating it would be if homeowners lost the ability offer 30 day rentals to tourists/visitors as most people actively looking for stability and long-term housing aren't concerned about that, they need a roof over their heads. Concern for the community

as a whole, focusing on the bottom line for a few property management companies is a bit inhumane when the community is struggling with houselessness and the inability to stay and live where they work. Watches homes in neighborhood get torn down, neighbors get displaced. Several of these new constructions are destined to be single-family homes but many are managed by property management companies and see a parade of guests coming and going. They're not neighbors, they're not folks that give back, they're not there when you need them. Comments tonight about contributing to the economy by shopping, snowmobiling seems trivial in face of the houselessness that many are struggling with. Prioritizing community will be necessary for long-term health. Being able to offer those from various socio-economic backgrounds the ability to experience housing security is what's necessary for this town to regenerate and flourish. Otherwise, younger, less affluent members of the community are going to be forced out, businesses are going to close because they can't staff, services are going to be cut because demand can't be met. This is a tiny step in addressing the housing crisis, but any step forward is a step in the right direction. For the amendments.

- Nikki Kaufman – Requesting to extend the minimum length of short-term rentals from 30 days to 90 days with proper enforcement. Regarding calls/violations, a lot of people don't call because we don't have the capacity for reinforcement, so that should be addressed. Also, it's not true that other communities haven't been successful. Other mountain towns have been successful with this around the country. She now commutes from Victor because being pushed out of Jackson. When she lived in Jackson, she was a volunteer for Community Safety Network, Whole Foods Rescue, was on the board of Integrated Solid Waste and Recycling, was a volunteer the People's Market and she can't do that anymore living in Victor. She can't give back to the community she loves. The extension of short-term rentals to 90 days is not the solution to affordable / workforce housing, but it's a small step we can do now to make changes for the working-class folks. For the amendments.
- Devon Beeman – She is in support of the change. It's not a matter of violations or creating workforce housing, it's a matter of keeping short-term rentals in the short-term zones where they belong. 3-month leases are still short-term. Not all the houses are in the Gill addition, or big fancy boxes in east Jackson. She sees many condos on the websites, it's not all the big box houses. We don't need people to come into our community and just spend money here during the pretty seasons and rent out their house the rest of the year. It's about giving back the rest of the year as well. It's not helping our sense of community.
- Chelsea Beets: Villa rental manager at Clear Creek Group, member of the JH Lodging Assoc. She's been in Jackson for 13 years and she's a renter. She's against the changes to the LDR's. She feels the trends are going back to shorter rentals vs the long-term rentals during Covid. There's less interest in renting for the entire summer.
- Ash R. - Board member with Shelter JH. A local renter – lives in the Aspens. She doesn't have neighbors, she doesn't know her neighbors, she hears rental car alarms going off in the night, she hears suitcases rattling across the parking lot. There's no sense of community or neighborhood anymore. She's in full support to increase the minimum rental period to start releasing homes back to the market for renters. Many of the comments are from short-term

rental businesses and homeowners that are here for the summers and winters and just need to offset the time they're out of town. She doesn't want this decision to be swayed by those that love it here and want their slice of Jackson. She lives here and works here full-time and wants that to continue.

- Whitney – Board member of Shelter JH. Someone said this isn't an emotional thing, but inherently it is. It's about empathy, empathy for our community members and our true neighbors, not the family that's here for a few months of the year on a ski vacation or a summer break. This is about the fabric of our community. While this isn't a huge step for housing equality and helping workforce housing, it's a maneuver we can make right now to help keep from sliding into a situation where we might have to start bussing people in to work here. She's only able to live here because her partner has housing through his employment with the Park. Her employer can't afford to rent or have a partial buy-in on housing. Her boss and leadership team are talking about how to help with housing insecurity with staff. Making small choices like this change, which she fully supports, is one way to help keep locals here and the regular folks living here year-round.
- Ben Bollock – he's a property owner in Town. Moving from 30 to 90 days ignores basic supply and demand, that there's enough demand for people coming in for 90 days that will keep the pricing elevated and won't solve the housing issues and so he's not in support of changing to 90 days.
- Claire Stumpf – Coordinator for Shelter JH – she agrees that short-term rentals should be kept in the STR zones. Appreciates idea that owner-occupied units be rented out up to 2 months a year to help owners pay mortgage, helps locals remain local. The reason we enacted the lodging overlay is that these regulations help regulate what could really destroy our rental market. She hopes that after hearing from luxury homeowners and part-time residents and property management executives that the commission considers what full-time residents and local workers are saying because they're being forced out by landlords capitalizing on these regulations and switch from renting to locals to short-term rentals. This isn't a crisis anymore, it's an emergency. Who are we going to prioritize? While STR's might be a fantastic business opportunity, nobody is going to want to visit Jackson if they can't rent a snowmobile or find a raft guide or go to a local business because none of those workers can live here. In their best interest to house workers locally.
- Andrea Ness- has lived in the valley for 8 years and works for the Clear Creek Group. She doesn't believe this is the correct answer for the housing problem. These are millionaire homeowners. There's no incentive for them to rent out to local workers. They can't bring in the revenue to cover the mortgage of the home so they might as well not rent it or sell it to make more money. That won't solve the problem. She's for the local workforce to stay in the community. There could be other solutions.
- Henry S – First responder in the Town of Jackson but lives in Victor Idaho. He can't find housing or afford to live here so he commutes. Think about the time it takes to respond here for an emergency. He supports the extension of the STR from 30 to 90 days. We've created a financial mechanism that incentivizes millionaire homeowners to buy homes as an income source for STR's when then can make their money back. But he appreciates when government

takes action to protect the needs of the community to eliminate that mechanism. If they would rather lock their doors than rent to the local community, then they should also not be able to use their home as an income source when it doesn't serve our community well when we move our residential neighborhoods to rentals.

- Ester Judge – Shacks on Racks – wants to reiterate the desired characteristics for our community. We have to prioritize our community or there's nothing left and there's no reason not to consider making the change from 30 to 90 days. There are housing crises on both sides. As a landowner, maybe their mortgage is too high, and they feel like they can't make it if they can't short-term rent. But if your mortgage is too high, maybe you shouldn't have taken it. If your rent is too high, maybe you shouldn't live there. Preservation of our workforce being able to live here and sustain here as equally as anyone else. It's a crisis no matter what. Full support changing from 30 to 90 days as a small step in a larger problem.
- Reed Matthews. – Luxury Properties of JH. Lived in Jackson for 12 years before moving to Bondurant due to housing challenges in Jackson. However, he wants to see the data that this change will make a step in the right direction for the housing crisis.

MOTION:

P21—333: A motion was made by: Schuler seconded by: Stewart Motion approved by a 6 to 1 vote to continue this item to the May 4th 2022 Planning Commission meeting at 7:20 PM.

MATTERS FROM COMMISSION: none

AGENDA FOLLOWUP: None

MATTERS FROM STAFF: none

MINUTES
JOINT PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
April 20, 2022

The meeting of the Joint Planning and Zoning Commission was called to order at 7:25 p.m. on 04/20/2022, via ZOOM.

TOWN OF JACKSON ROLL CALL:

☒ Anne Schuler, ☒ Wendy Martinez, ☒ Katie Wilson, ☒ Abby Petri, ☒ Christie Schutt,
☒ Thomas Smits, ☐ Rachael Stewart

TETON COUNTY ROLL CALL: Muromcew, Lurie, Viehman, Rockey

STAFF: Neubecker, Sinclair, Hostetter, Rooney , Anthony

APPROVAL OF THE AGENDA: A motion was made by: Rockey seconded
by: Lurie
Motion approved by a 4 to 0 vote

JOINT PLANNING COMMISSION

1. 2022 Annual Indicator Report

STAFF PRESENTATION: Tyler Sinclair, Rian Rooney

PC DISCUSSION:

- Commissioner Lurie asked about the growth cap – what happens when we hit it? We’re not having those discussions and think we need to have those discussions. Sinclair stated that when cap is hit, new development would have to happen by tearing down and building something new. We’re a long way from the cap. No statutory requirements on build-out in the state of Wyoming. Commissioner Lurie suggested in the next couple of years be thinking about scenario planning to make community aware so it’s a community sanctioned decision when the time comes.
- Commissioner Rockey asked about data sources for greenhouse gas emissions. Rooney referenced Yellowstone Teton Clean Cities Group. They’ve worked with a greenhouse gas inventory consultant twice now, 2008 and 2018 (every 10 years) to put together a comprehensive inventory of GHG emissions. Both private and commercial plane traffic was considered. Annually they have access to commercial air travel from the airport. It’s benchmarked to data that’s available for commercial and private.
- Commissioner Rockey asked about housing prices and rent prices. Most data was lumped into 2012-2018 and 2019-2021. Can you get more granular on the 2012-2018 time period? 2012-2014 was the rock bottom of the real-estate market. More interested in data from

2015-2018 to see if there's a step-up during that period. Rooney will look into the data book for this information.

- Commissioner Muromcew asked about data on non-motorized or alternative modes of transportation, as housing issues can't be separated from transportation issues. Is the data Teton County specific data, or more of a national average? Rooney responded that data is local and catered to Teton County, but it is national census survey based. Commissioner Muromcew suggested getting data from local organizations such as Friends of Pathways.
- Commissioner Schuler asked if natural gas usage is primarily driven by residential. Rooney responded that it's driven by commercial. Lower Valley Energy breaks it out by residential and commercial but starting in the fall of 2018 was bigger spike in commercial areas.

2. Fiscal Year 2023 Comprehensive Work Plan

STAFF PRESENTATION: Ryan Hostetter

PC DISCUSSION:

- Commissioner Lurie – would this be a place in scenario planning as something to start exploring? Hostetter replied that there is opportunity for that with partnership opportunities to move forward.
- Commissioner Muromcew agrees that this will be a big issue for the community to face and any planning regarding the fairgrounds be put on hold for now before putting valuable Town and County resources into studying the fairgrounds.

MATTERS FROM STAFF:

- Neubecker stated the main takeaways here are: did we miss something? Did we get this list right? Is there anything to add or remove?
- -Commissioner Lurie noted that her concern is that for multiple years, one of their common values of Ecosystem Stewardship comes behind everything else. Had a natural resource task force that evaporated, a stakeholder's group that disappeared, and a lot of work and time was put into it. Would it be worth it to create another task force to help the Ecosystems Stewardship Coordinator develop the indicators that are needed.
- Sinclair stated they will be setting up a stakeholder's group around Ecosystems Stewardship, but it's a Town-only position, not a joint position, but that doesn't mean we won't be working with the County to move forward with some of those issues.
- Commissioner Lurie urged the County to reconsider having a coordinator to work with the Town. Has concerns that Park and Recreation are taking over management of the riparian areas of the Snake River Corridor, and they don't have staff with a background or experience in managing for conservation.
- Neubecker in response to comments: they just adopted bear conflict standards in the County, and just finished up with the wildlife friendly fencing, and are under contract for natural resources vegetation mapping. Some commissioners have mentioned they would

support adding staff capacity to focus on the County side of Ecosystems Stewardship.

- Commissioner Wilson asked if the Town has the capacity to handle everything on the list. Is it too aggressive and should it be narrowed down or are we able to move forward with it.
- Sinclair feels the Town can handle what has been presented. The undefined is Lodging and Short-Term Rentals, but currently hasn't been directed by the Town Council to add to the Work Plan, but that could shift items if it is added.
- Paul Anthony discussed the unpredictable issues that come up during the year that need timely responses rather than waiting to be added to the Work Plan the following year.

MOTION:

Town Planning Commission:

A motion was made by: Schuler seconded by: Petri to recommend approval of the proposed FY23 Implementation Work Plan dated April 11, 2022. Motion approved by a 7 to 0 vote.

County Planning Commission:

A motion was made by: Lurie seconded by: Rockey to move to amend approval of the County Planning Commission FY23 Implementation Work Plan dated April 11, 2022, to include looking into Scenario Planning and what best suits their purposes. Motion approved by a 4 to 0 vote.

TOWN PLANNING COMMISSION MOTION TO ADJOURN:

A motion was made by: Schuler seconded by: Petri
Motion approved by a 7 to 0 vote

TETON COUNTY PLANNING COMMISSION MOTION TO ADJOURN:

A motion was made by: Rockey seconded by: Viehman
Motion approved by a 4 to 0 vote